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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670.664	09/25/2003	Albrecht Mayer	J&R-1125	8359
24131	7590	09/26/2006	EXAMINER	
LERNER GREENBERG STEMER LLP			PUENTE, EMERSON C	
P O BOX 2480			ART UNIT	PAPER NUMBER
HOLLYWOOD, FL 33022-2480			2113	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,664

Applicant(s)

MAYER, ALBRECHT

Examiner

Emerson C. Puente

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 23-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 20, 21 and 23-26 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 19 is/are rejected.
- 7) ☒ Claim(s) 4-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is made **Final**. Claims 1-21 and 23-26 have been examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,922,794 of Tagawa et al. referred hereinafter “Tagawa”.

In regards to claim 1, Tagawa discloses:

an OCDS module consisting of a plurality of components (see figure 4 and column 3 lines 19-25);

a plurality of first supply voltage connections for applying a first supply voltage (see figures 2 and 6 and column 3 lines 1-10 and column 4 lines 24-30);

a plurality of second supply voltage connections for applying a second supply voltage (see figures 2 and 6 and column 3 lines 1-10 and column 4 lines 24-30);

a plurality of additional components configured for being supplied with power by the first supply voltage (see column 3 lines 1-10);

at least some of said plurality of components of said OCDS module configured for being supplied with power by the second supply voltage (see column 3 lines 1-10).

a control information memory and a control device for putting said OCDS module into a state prescribed for debugging taking into account data stored in said control information memory. Tawaga discloses an in-circuit emulator comprising a emulator program, indicating a control information memory, which is read to initialize various memories and registers in the debug target registers in the debug target circuit, indicating a control device for putting said OCDS module into a state prescribed for debugging taking into account data stored in said control information memory (see figure 2 item 2 and column 3 lines 19-25).

In regards to claim 2, Tagawa discloses:

wherein said plurality of components configured for being supplied with power by the first supply voltage cannot also be supplied with power by the second supply voltage (see column 3 lines 1-10 and column 4 lines 24-30).

In regards to claim 3, Tagawa discloses:

wherein said at least some of plurality of components of said OCDS module that are configured for being supplied with power by the second supply voltage cannot also be supplied with power by the first supply voltage (see column 3 lines 1-10 and column 4 lines 24-30).

In regards to claim 19, Tagawa discloses:

wherein all of said plurality of components of said OCDS module are configured for being supplied with power by the second supply voltage (see column 3 lines 1-10 and column 5 lines 24-30).

Allowable Subject Matter

Claim 4-18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 20,21, and 23-26 are allowed for reasons stated in the previous office action.

Response to Arguments

Applicant's arguments filed July 17, 2006 have been fully considered but they are not persuasive.

In regards to applicant's argument that "Claim 1 has been amended with significant features of allowable claim 9, which has been indicated as being allowable on page 6 of the office action," applicant has not included intervening limitations and hence the claim is not allowable. More specifically, the applicant has only added a control memory and a control device for putting the OCDS module into a state machine prescribed for debugging taking into account data stored in said control information memory. Tawaga's in-circuit emulator comprising a emulator program which is read to initialize various memories and registers in the debug target registers in the debug target circuit reads on such limitations, as indicated above. Examiner maintains his rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emerson C. Puente whose telephone number is (571) 272-3652. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ecp


ROBERT W. BEAUSOLIEL
Examiner
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